

REMARKS**Overview**

Claims 6-8, 10-17, 19, 20 and 23-28 were pending when the Office Action was mailed on January 27, 2009. Applicant herein amends claims 6, 12, 13, 15, and 16, presents new claims 29-31, and does not cancel any claims. Accordingly, claims 6-8, 10-17, 19, 20 and 23-31 are currently pending.

The Office Action rejects claims 6-8, 10-15, and 23-28 under 35 U.S.C. § 102(e) over U.S. Patent No. 7,007,074 to Radwin ("Radwin") and rejects claims 16, 17, 19, and 20 under 35 U.S.C. § 103(a) over the combination of Radwin and U.S. Patent No. 6,826,559 to Ponte ("Ponte"). Applicant respectfully traverses these rejections. Nevertheless, applicant herein amends the claims to further clarify the subject matter for which protection is sought.

Although the Office Action indicates that claims 25-28 are rejected, the Office Action fails to provide any analysis of these claims. Thus, applicant is unable to respond to the rejections of these claims. Applicant respectfully requests that the Examiner specifically point to portions of the applied references that disclose the elements of these claims or withdraw these rejections.

As a preliminary matter, applicant would like to address the Examiner's interpretation of "advertising strategies." While applicant agrees that the Examiner is to give each claim its broadest reasonable interpretation, applicant believes that the Examiner's interpretation of "advertising strategies" is both vague and unreasonably broad given applicant's Specification and the context provided by the language of the claims. Nevertheless, applicant herein amends each of the independent claims to provide a clear definition of "advertising strategy" and requests that the Examiner confine her interpretation to be consistent with this definition. Applicant's Specification

supports the definition of "advertising strategy" provided in the claims in at least ¶¶ [0040]-[0042] and [0045].

Applicant's Technology

Applicant's claimed technology stores associations of search terms and advertising strategies, each specifying multiple advertisements, and uses these associations to associate users with advertising strategies based on the search terms they employ. The association of users and advertising strategies assists in determining which advertisements to display to a user as the user visits different publishers' web sites. Each advertising strategy specifies a duration which prevents the association of users with an advertising strategy when the user has not employed search terms associated with the advertising strategy during the period equal to the specified duration immediately preceding the association. For example, when a user has performed a search for "nine iron" during the past two weeks, the user may be associated with an advertising strategy for golf equipment. As another example, a search for "monster trucks" may render the user eligible for association with an advertising strategy for monster truck shows for the next thirty days. However, once the thirty days pass, applicant's technique will no longer use these terms to associate the user with the advertising strategy unless the user has used the terms again. In this manner, each advertising strategy may use different durations to exclude search terms from being used to associate a user with the advertising strategy.

Rejections under 35 U.S.C. § 102(e)

Claim 6 now recites "defining a plurality of advertising strategies, each advertising strategy specifying a plurality of advertisements, a plurality of search terms, and an arbitrary time duration." The Office Action relies on Radwin at Fig. 6, 619, 620, 3:38-48, and 10:16-25 as describing a time duration associated with an advertising strategy.

The relied-upon portions of Radwin describe the selecting and presenting of "immediate" and "time-dependent" advertisements to a user. When a user performs a search, Radwin's technique selects and an immediate advertisement for display with the search results and also selects a time-dependent advertisement to be presented at some time after the search results are presented to the user "so long as the time-dependent advertisement is available for selection during a period of time after presentation of an associated immediate advertisement." (Radwin, 3:45-48, 5:31-32). A time-dependent advertisement is no longer available when the search terms associated with that advertisement have expired (i.e., filtered out to prevent advertisements from being displayed based on "stale" search terms). (Radwin, 3:16-17, 10:58-62, 12:28-35).

Radwin applies the same duration to filter out search terms for each of its advertisements. For example, the search terms "nine iron" and "monster truck" would each be filtered out after the same period, such as 10 days, regardless of the time-dependent advertisement associated with those terms. Similarly, if the search term "nine iron" was associated with different time-dependent advertisements, advertisements selected based on those terms would expire at the same time. In other words, the duration associated with the advertisements is not arbitrary; it is always the same, regardless of the advertisement or search term that caused the advertisement to be associated with the user. Claim 6 has been amended to clarify that, in contrast to Radwin, applicant's "time duration" is 1) an independent element of each advertising strategy specified by that advertising strategy and 2) arbitrary (meaning that it need not be the same for each advertising strategy). Applicant is unable to find any portion of Radwin that describes or suggests a plurality of advertisings strategies each specifying an arbitrary time duration, as claim 6 recites. Accordingly, claim 6 is patentable over Radwin, as are its dependent claims 7, 8, 10-15, 23, 24, 29, and 30. Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of these claims.

Rejections under 35 U.S.C. § 103(a)

Claim 16 now recites "generating a plurality of selected advertising strategies, each advertising strategy specifying a plurality of advertisements, a plurality of search terms, an arbitrary time duration, and an arbitrary Boolean search expression based on the search terms." Thus, claim 16 now includes a clear definition of an advertising strategy that includes a specified Boolean search expression. The Office Action relies on Ponte at 1:34-35, 7:34-35, 13:35-41, and 27:19-35 as disclosing a Boolean search expression associated with an advertising strategy. Applicant respectfully disagrees that Ponte describes this feature. The relied-upon portions of Ponte describe either targeted banner ads (1:34-35), Boolean queries (7:34-35 and 27:19-35), or processing normalized data (13:35-41). While applicant understands that Ponte describes returning search results and advertisements in response to a Boolean query submitted by a user, Ponte fails to describe advertising strategies that specify a Boolean search expression. Ponte's technique merely processes user-provided Boolean queries for terms to determine whether those terms match search terms associated with an advertisement. Applicant has amended claim 16 to clarify that applicant's advertising strategies specify, among other things, a Boolean search expression. Applicant is unable to find any portion of Ponte that describes or suggests an advertising strategy that specifies a Boolean search expression, as claim 16 recites. Radwin does not cure these deficiencies. Accordingly, claim 16 is patentable over the applied references, as are its dependent claims 17, 19, 20, 25, and 31. Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of these claims.

Conclusion

In view of the above amendments and remarks, applicant believes the pending application is in condition for allowance and respectfully requests reconsideration and a prompt Notice of Allowance.

Please charge any deficiencies, or credit any overpayment, to our Deposit Account No. 50-0665, under Order No. 418268719US from which the undersigned is authorized to draw.

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Respectfully submitted,

By 
Maurice J. Pirio

Registration No.: 33,273
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8548
(206) 359-9000 (Fax)
Attorney for Applicant